

PROB 12B  
(7/93)

Report Date: August 19, 2010

**United States District Court**

**for the**

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

AUG 20 2010

JAMES R. LARSEN, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: DeeAnn Musgrave

Case Number: 2:10CR00109-001

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 6/11/2007

Type of Supervision: Supervised Release

Original Offense:

Date Supervision Commenced: 7/23/2010

Original Sentence: Prison - 57 Months; TSR - 60  
Months

Date Supervision Expires: 7/22/2015

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 19 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

**CAUSE**

The purpose of this petition is to apprise the Court of the status of the aforementioned case, in light of the Ninth Circuit Court of Appeals' finding in United States v. Stevens (9<sup>th</sup> Cir. 2005), and to request that the conditions of supervision be modified to authorize a maximum of six random drug tests per month.

Recent contact with the offender suggests that the above-mentioned modification is appropriate. In an attempt to provide federal funding, if necessary, it is requested that the Court modify conditions of supervision to include the aforementioned conditions. DeeAnn Musgrave was asked whether she would waive her right to a hearing and agree to the modification as previously described. As indicated by the enclosed Waiver of Hearing to Modify Conditions of Supervised Release form, Ms. Musgrave has agreed to the proposed modifications.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/19/2010

s/Tommy Rosser

Tommy Rosser  
U.S. Probation Officer

Prob 12B

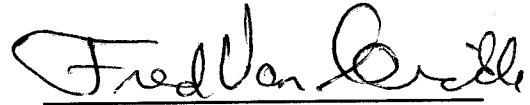
**Re: Musgrave, DeeAnn**

**August 19, 2010**

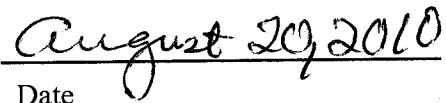
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THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer



Date

PROB 49  
(3/89)

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EASTERN DISTRICT OF WASHINGTON

AUG 20 2010

JAMES R. LARSEN, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

## United States District Court

Eastern District of Washington

### Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

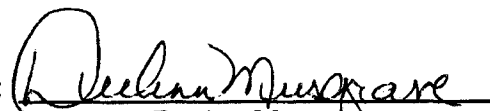
To modify the conditions of supervision as follows:

- 19 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Witness:

  
Tommy Rosser  
U.S. Probation Officer

Signed:

  
DeeAnn Musgrave  
Probationer or Supervised Releasee

August 18, 2010

Date